

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

FA ND CHEV, LLC and FA ND SUB,  
LLC,

Plaintiffs,

vs.

Robert Kupper, Bismarck Motor Company,  
and BMC LLC d/b/a Moritz Sport & Marine,

Defendants.

**ORDER**

Case No. 1:20-cv-138

---

BAPTKO, Inc.,

Plaintiff and Counterclaim  
Defendant,

vs.

Foundation Automotive Corp, an Alberta  
Corporation, FA ND CHEV, LLC, and FA  
ND SUB, LLC,

Defendant and Counterclaimants.

---

On September 29, 2023, the Parties filed a Joint Stipulation to Amend Scheduling Order in BAPTKO v. Foundation Automotive Corp., et al. (the “BAPTKO Litigation”). (Doc. No. 283). Therein in they jointly request that the Court amend the scheduling and discovery order in the BAPTKO litigation at Doc. No. 245 to extend the discovery and dispositive motions deadlines.

The court **ADOPTS** the Parties’ stipulation (Doc. No. 283) and amends the pretrial deadlines in the BAPTKO litigation as follows:

- (1) The Parties shall have until October 27, 2023, to complete written discovery,

deposition of fact witnesses, and to file nondispositive motions.

- (2) The Parties shall have until November 3, 2023, to provide the names of affirmative expert witnesses and complete reports under Rule 26(a)(2).
- (3) The Parties shall have until December 5, 2023, to provide the names of rebuttal expert witnesses and complete reports under Rule 26(a)(2).
- (4) The Parties shall have until January 5, 2024, to conduct discovery depositions of expert witnesses.
- (5) Dispositive motions are due by January 16, 2024.

**IT IS SO ORDERED.**

Dated this 5th day of October, 2023.

/s/ Clare R. Hochhalter  
Clare R. Hochhatler, Magistrate Judge  
United States District Court